

Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) An electronic camera comprising:
an image-capturing element that captures a subject image and outputs image-capturing signals each corresponding to a pixel; and
a control device that executes gradation correction on the image-capturing signals output by the image-capturing element, wherein:
the image-capturing element is split into a plurality of pixel areas each containing a plurality of pixels; and
the control device calculates average values of image-capturing signal values in the pixel areas, which are output by the image-capturing element prior to a shutter release, determines an exposure quantity ~~and gradation characteristics~~ based upon the average values having been calculated each in correspondence to one of the plurality of pixel areas, determines gradation characteristics based upon a comparison of the average values having been calculated each in correspondence to one of the plurality of pixel areas with a predetermined threshold level, engages the image-capturing element to capture an image at the exposure quantity having been determined in response to the shutter release and executes gradation correction on image-capturing signals output by the image-capturing element in conformance to the gradation characteristics having been determined.

2. (Original) An electronic camera according to claim 1, wherein:
the control device determines the exposure quantity and the gradation characteristics based upon a number of average values exceeding a first deciding threshold value among the calculated average values corresponding to the plurality of pixel areas.

3. (Original) An electronic camera according to claim 1, wherein:

when a number of average values exceeding a first deciding threshold among the calculated average values corresponding to the plurality of pixel areas is smaller than a predetermined value, the control device sets the exposure quantity to a first exposure quantity and sets the gradation characteristics to first gradation characteristics, and when the number of average values exceeding the first deciding threshold value among the calculated average values corresponding to the plurality of pixel areas is equal to or greater than the predetermined value, the control device sets the exposure quantity to a second exposure quantity smaller than the first exposure quantity and sets the gradation characteristics to second gradation characteristics whereby a post-gradation correction signal level is raised relative to a signal level achieved through gradation correction effected in conformance to the first gradation characteristics.

4. (Original) An electronic camera according to claim 1, wherein:

the control device detects a subject brightness value based upon the image-capturing signals output by the image-capturing element prior to the shutter release and determines the exposure quantity based upon the detected subject brightness value.

5. (Original) An electronic camera according to claim 3, wherein:

when a largest value among the calculated average values corresponding to the plurality of pixel areas is equal to or smaller than a second deciding threshold value smaller than the first deciding threshold value, the control device sets the exposure quantity to a third exposure quantity larger than the first exposure quantity and sets the gradation characteristics to third gradation characteristics whereby the post-gradation correction signal level is lowered

relative to the signal level achieved through the gradation correction effected in conformance to the first gradation characteristics.

6. (Original) An electronic camera according to claim 3, wherein:

the control device calculates the exposure quantity to be achieved in response to the shutter release based upon a subject brightness value, detects the subject brightness value based upon the image-capturing signals output by the image-capturing element prior to the shutter release and corrects the detected subject brightness value so as to achieve either the first exposure quantity or the second exposure quantity having been determined.

7. (Original) An electronic camera according to claim 5, wherein:

the control device calculates the exposure quantity to be achieved in response to the shutter release based upon a subject brightness value, detects the subject brightness value based upon the image-capturing signals output by the image-capturing element prior to the shutter release and corrects the detected subject brightness value so as to achieve either the first exposure quantity, the second exposure quantity or the third exposure quantity having been determined.